FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.280 OF 2005
IN
FIRST APPEAL NO.151 OF 2005

Office notes, office Memoranda of Coram, appearances, Court's orders or directions & Registrar's orders.	: : : : :	Court's or Judge's Orders

Mr. Anirudha Sathe i/b H.G. Ganatra for the appellant.

Mr. Y.K. Sharma i/b Ganesh & Co. for respondents 1 to 4.

CORAM: SMT. RANJANA DESAI, J.

DATED: 14TH MARCH, 2005.

P.C.:-

Heard the learned counsel for the parties.

The impugned decree dated 26/10/2004 passed by the Civil Judge, Senior division, Thane, is stayed to the extent it directs the defendants to execute the sale deed in respect of the suit property in favour of the plaintiffs. However, during the pendency of the appeal, the defendants shall not withdraw the amount of Rs.1,00,000/- deposited by the plaintiffs in the trial court. The trial court is directed to invest the

said amount in a nationalised bank on the usual terms. During the pendency of the appeal, the defendants shall not sell, assign, transfer, alienate, encumber or create any third party rights or interests or induct any one in the suit property.

Hearing of First Appeal No.151 of 2005 is expedited.

Civil application is disposed of.

(SMT. RANJANA DESAI, J.)